

<small>FORM PTO 1390 (REV 5-93)</small> <small>US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</small>		ATTORNEY DOCKET NUMBER 2005_0301A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		U.S. APPLICATION NO. <small>(If known, see 37 CFR 1.5)</small> NEW 10/525875
International Application No. PCT/JP03/10760	International Filing Date August 26, 2003	Priority Date Claimed August 26, 2002
Title of Invention CELL ANALYSIS AND SORTING APPARATUS		
Applicant(s) For DO/EO/US Takanori ICHIKI and Kenji YASUDA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. §371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. - ATTACHMENT A c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)). - ATTACHMENT B 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19. 9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). - ATTACHMENT C 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).		
Items 11. to 14. below concern other document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. - ATTACHMENT D <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
14. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> • International Search Report - ATTACHMENT E • Notification of the Recording of A Change - ATTACHMENT F 		
<small>THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEE FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975</small>		

U.S. APPLICATION NO. NEW 117525875		INTERNATIONAL APPLICATION NO. PCT/JP03/10760	ATTORNEY'S DOCKET NO. 2005_0301A			
15. [X] The following fees are submitted		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">CALCULATIONS</td> <td style="width: 50%;">PTO USE ONLY</td> </tr> </table>			CALCULATIONS	PTO USE ONLY
CALCULATIONS	PTO USE ONLY					
Basic National Stage Fee		\$300.00				
National Stage Search Fee.....		\$400.00				
National Stage Examination Fee.....		\$200.00				
Specification/drawings in excess of 100 pages (units of 50 x \$250.00) =.....		\$				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$900.00				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$				
Claims	Number Filed	Number Extra	Rate			
Total Claims	12 -20 =	0	X \$50.00	\$0		
Independent Claims	1 - 3 =	0	X \$200.00	\$0		
Multiple dependent claim(s) (if applicable)		+ \$360.00	\$			
TOTAL OF ABOVE CALCULATIONS =		\$900.00				
[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		\$				
SUBTOTAL =		\$900.00				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$				
TOTAL NATIONAL FEE =		\$				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$				
TOTAL FEES ENCLOSED =		\$900.00				
		Amount to be refunded	\$			
		Amount to be charged	\$			
<p>a. [X] A check in the amount of \$900.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.</p> <p>b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975.</p>						
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>						
19. CORRESPONDENCE ADDRESS		<p>By:  Nils E. Pedersen, Registration No. 33,145</p> <p>WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250</p> <p>February 25, 2005</p>				
<p>[CHECK NO. <u>166846</u>] [2005_0301A]</p>						

10/525875

6 Rec'd PCT/PTO 25 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Takanori ICHIKI et al. : Mail Stop: PCT
Serial No. NEW : Attorney Docket No. 2005_0301A
Filed February 25, 2005 :

CELL ANALYSIS AND
SORTING APPARATUS
[Corresponding to PCT/JP03/10760
Filed August 26, 2003]

COVER LETTER FOR APPLICATION FILED
WITHOUT EXECUTED DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE OR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

The above-identified application has been submitted without an executed oath or declaration pursuant to 37 CFR 1.41(c).

It is respectfully requested that this application be assigned a serial number and awarded a filing date pursuant to 37 CFR 1.53.

A duly executed oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office pursuant to 37 CFR 1.53(f).

A non-executed copy of the Declaration and Power of Attorney, containing the inventorship information, is attached. It is respectfully requested that all communications be directed to the firm indicated on the attached Declaration and Power of Attorney, namely:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006-1021

ATTACHMENT C }

10/525875

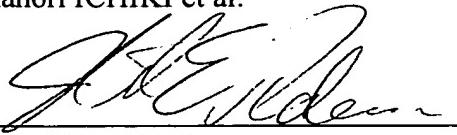
Rec'd PCT/PTO 25 FEB 2005

The required U.S. Patent and Trademark Office Filing Fee is submitted herewith

Respectfully submitted,

Takanori ICHIKI et al.

By



Nils E. Pedersen

Registration No. 33,145

Attorney for Applicants

NEP/jmj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
February 25, 2005